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VIA FEDERAL EXPRESS & ECF

Hon. Ramon E. Reyes, Jr.
United States District Judge
U.S. District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Stein v. Acuity Brands Inc.*, 1:17-cv-06945-NGG-RER

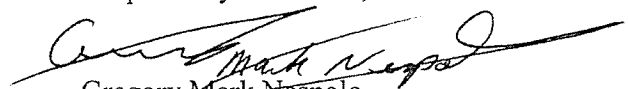
Dear Judge Reyes:

Pursuant to Your Honor's Individual Practice Rules, we write to respectfully request a pre-motion conference.

On February 5, 2018 pursuant to Your Honor's direction, plaintiff submitted time and expense records in connection with counsel's request for fees and reimbursement of expenses. These records, however, were inadvertently produced prior to certain entries being redacted on the grounds they concerned attorney client and attorney work product. "[W]hile a retainer and fee arrangement agreement may be subject to discovery, the actual bills detailing the work done by the attorneys are clearly privileged material." *De La Roche v. De La Roche*, 209 A.D.2d 157 (1st Dep't 1994) quoting *Licensing Corp. v National Hockey League Players Assn.*, 153 Misc.2d 126, 127-128 (Sup. Ct., N.Y. Cty. 1992); *see also Riddell Sports Inc. v. Brooks*, 158 F.R.D. 555, 560 (S.D.N.Y. 1994) (observing that while "attorney fee arrangements, including the general purpose of the work performed, are not generally protected . . . [documents] which also reveal the motive of the client in seeking representation, litigation strategy, or the specific nature of the services provided, such as researching particular areas of law, fall within the privilege"); *Elliott Assoc., L.P. v. Republic of Peru*, 176 F.R.D 93, 97-98 (S.D.N.Y. 1997) (citing *Riddell* and *Licensing Corp.*). Accordingly, plaintiff requests a pre-motion conference concerning an application to seal and/or redact the records.

In addition, plaintiff seeks reconsideration of Your Honor's denial of plaintiff's request to submit an answer to the reply by defendant concerning the pending application for attorneys' fee and the reimbursement of expenses.

Respectfully submitted,


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